

OGC HAS REVIEWED.

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OGC 74-0018

3 January 1974

MEMORANDUM FOR: Executive Assistant to the Director of
Personnel

SUBJECT: Retention of Maiden Names for Administrative
Purposes

1. In December 1972, this Office was of the opinion that the Government had the right to designate a married woman by her husband's name on payrolls and on other administrative records, even though the woman used her maiden name for business and social purposes. We also held that exceptions to this rule could be made in appropriate cases, such as for cover and security reasons. The above ruling was based on an opinion provided by the Comptroller General. 19 Comp. Gen. 203.

2. I have checked with the Comptroller General's office to determine the status of the above-cited case. I was advised that although not overruled, this case probably is outdated in view of the strong trend against unreasonable procedures which tend to discriminate against women in Government service.

3. The Comptroller General's office (Mr. James Masterson) pointed up the necessity, however, of requiring women to submit all relevant data regarding their marital status to the appropriate office so that they could be identified as "married," "single," "divorced," and so forth, to assist the Agency in avoiding administrative errors.

4. In sum, there appears no valid legal reason to deny a married woman the right to retain her maiden name for administrative purposes. The Civil Service Commission, moreover, is

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of the opinion that how records are kept is a matter of administrative discretion of each agency. We feel, then, that unless there are valid policy reasons to the contrary, female employees of the Agency should be able to retain their maiden name, if they choose to do so.



STATINTL

Assistant General Counsel